

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**RODOLFO RODRIGUEZ,**

**Plaintiff,**

**v.**

**No. 19-cv-0111 MV/SMV**

**NATIONAL RAILROAD PASSENGER  
CORP. d/b/a AMTRAK, J. PERRY, and  
C. CHAVEZ,**

**Defendant.**

**ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)  
AND ORDER TO MAKE PAYMENTS OR SHOW CAUSE**

THIS MATTER is before the Court on Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 3] and Motion to Cure Deficiency [Doc. 11] filed by Plaintiff, Rodolfo Rodriguez. Based on analysis of his Application and the inmate account statement, [Doc. 11] at 4–7, the Court grants Plaintiff leave to proceed under 28 U.S.C. § 1915(a) and (b). Because the Court grants the Application, the filing fee for this civil-rights Complaint is \$350. Pursuant to § 1915(b)(1), Plaintiff is required to make installment payments until the full amount of the filing fee is paid. Based on analysis under § 1915(b)(1) of Plaintiff's inmate account statement, [Doc. 11] at 4–7, the Court finds that Plaintiff owes an initial partial payment of \$15.76. If Plaintiff fails to make a payment by the designated deadline or show cause why such payment should be excused, the civil-rights Complaint may be dismissed without further notice.

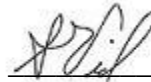
**IT IS THEREFORE ORDERED** that the Application to Proceed in District Court Without Prepayment of Fees or Costs [Doc. 3] and Motion to Cure Deficiency [Doc. 11] filed by Plaintiff, Rodolfo Rodriguez are **GRANTED**.

**IT IS FURTHER ORDERED** that, no later than **August 1, 2019**, Plaintiff send to the Clerk an initial partial payment of \$15.76 or show cause why payment should be excused.

**IT IS FURTHER ORDERED** that the Clerk provide Plaintiff with two copies of this Order, and that Plaintiff make the necessary arrangements to attach one copy of this Order to the check in the \$15.76 amount of the initial partial payment.

**IT IS FINALLY ORDERED** that, after payment of the \$15.76 initial partial fee, Plaintiff make monthly payments of 20% of the preceding month's income credited to his account or show cause why the designated payments should be excused.

**IT IS SO ORDERED.**



---

**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**